

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

GREGORY CARPENTER

PLAINTIFF

vs.

Civil No. 6:06-cv-06025

MICHAEL J. ASTRUE

DEFENDANT

Commissioner, Social Security Administration

ORDER

Before the Court is the Report and Recommendation filed on August 31, 2009 by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. No. 23). Judge Bryant recommends that Plaintiff's Motion for Attorney Fees pursuant to 42 U.S.C. § 406(b) be **GRANTED**. Defendant has not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1).

Accordingly, this Court finds that counsel is entitled to compensation pursuant to 42 U.S.C. § 406(b) of \$7,712.75 in attorney's fees. Further, Plaintiff's counsel shall refund the earlier EAJA award of attorneys fees, (Doc. No. 18), in the amount of \$1,713.75 to the Plaintiff.

IT IS SO ORDERED, this 6th day of October, 2009.

/s/ Robert T. Dawson
HON. ROBERT T. DAWSON
UNITED STATES DISTRICT JUDGE